

Following up from inewsource

15 messages

Natallie Rocha <natallierocha@inewsource.org>

Mon, Oct 28, 2019 at 5:02 PM

To: APhillipp@sandiego.gov

Hi Alec -

I just wanted to follow up on your voicemail and email exchange with my colleague, Mary Plummer—thanks very much for your help with this. I'm doing reporting on a repaving issue on Brant Street and Spruce Street, part of the [Sewer & Water Group 701 project](#). There was a case on Brant Street where the contractor paved around a car, rather than towing it, but elected to tow a car on Spruce Street.

Below are a few remaining questions I have and some direct quotes from my phone conversation with Ken Farrigan that we may use in the piece. Please let me know if you have any concerns or want to clarify any of the info that he shared.

We're on deadline, hoping to get this back by 3 pm Wednesday if possible. Happy to talk on the phone as well.

Thanks,
Natallie Rocha
Reporter | [inewsource.org](#)
Mobile: 760-522-7007

Questions:

- Does the City have a formal policy or regulation on when vehicles are towed during paving projects? If so, what is it? (Ken Farrigan explained that it's at the contractor's discretion, please see quotes below).
- Do contractors need to get prior approval from the city before deciding to tow cars? I noticed this section in the Whitebook, which seems to indicate engineers are involved. Please explain whether or not this applies in this case.
 - 7-10.2.3, Sect. 19: Submit proposed changes to and deviations from the traffic control plan permit for the Engineer's approval. Prior to implementation, the Engineer will observe the implementation of traffic control plans and reserves the right to require you to make changes as field conditions warrant. The Engineer may approve the changes to the traffic control plan permit or if directed in writing by the Engineer. (pg. 67, [The Whitebook, 2012](#))
- Neighbors I spoke with shared that proper parking notice wasn't given (less than 48 hours). Is that accurate? If so, was that a contract violation?
- How frequently are cars parked on the street paved around in San Diego? Is this a known issue?
- How much did the original paving project on Brant Street cost the city? And how much did the repaving work cost to fix the area where the car was parked?
- Can you share with me the Final Summary Report for the Sewer & Water Group 701 project ([CC15 form](#) for project numbers B00452, B00039)?

Quotes from Ken Farrigan, supervising engineer:

- “The City doesn't make the call. It's the contractor who has to decide to the best of their ability.”
- If a car is left on the street, there is “one of two options: the contractor can have the car towed or pave around it.”
- When I explained the situation of one car being towed and the other being paved around during the road paving project, Ken said this of the contractor's decisions to tow cars: “It's on a case-by-case basis.”

Phillipp, Alec <APhillipp@sandiego.gov>

Tue, Oct 29, 2019 at 7:31 AM

To: Natallie Rocha <natallierocha@inewsource.org>

Natallie,

Thank you for reaching out on this. Due to the circumstances of your call, I would prefer to supply a quote in place of Ken. I can provide something along the same lines as what he said and serves the same purpose for you. I will send these questions along to staff and get back to you with the answers and my quote by your deadline.

Best,

Alec

[Quoted text hidden]

Phillipp, Alec <APhillipp@sandiego.gov>

Wed, Oct 30, 2019 at 3:01 PM

To: Natallie Rocha <natallierocha@inewsource.org>

Natallie,

Some info for you below, thanks.

QUOTE: “During paving operations, the decision to tow cars ultimately comes down to the contractor. They may decide to tow or pave around a car based on their resources, their schedule, or their understanding of the circumstances. The expectation from the City is that they deliver the paved street as stipulated in the contract by the time stipulated.”

- Does the City have a formal policy or regulation on when vehicles are towed during paving projects? If so, what is it? (Ken Farrigan explained that it's at the contractor's discretion, please see quotes below).
 - For paving operations, the contractor must place their 'No parking' signs a minimum of 48 hours in advance. After sufficient notice, the Contractor may tow cars in order to complete their paving.
- Do contractors need to get prior approval from the city before deciding to tow cars? I noticed this section in the Whitebook, which seems to indicate engineers are involved. Please explain whether or not this applies in this case.
 - The City reviews and approves the project traffic control, then the contractor is required to follow the traffic control and place no park signs as necessary to complete the work. The decision to tow cars is made by the contractor and is considered only after verification of proper no park signage.
- Neighbors I spoke with shared that proper parking notice wasn't given (less than 48 hours). Is that accurate? If so, was that a contract violation?
 - City staff confirmed that the contractor had no parking signs out in advance of the paving.
- How frequently are cars parked on the street paved around in San Diego? Is this a known issue?
 - While we don't have an exact number, it does happen on occasion during paving operations.
- How much did the original paving project on Brant Street cost the city? And how much did the repaving work cost to fix the area where the car was parked?
 - There was no extra cost to come back and pave the missing area on Brant Street. A total of about \$102,000 has been billed to the City for paving on this project thus far. We do not have a breakdown of these costs on a street-by-street basis, it is measured by material placed.
- Can you share with me the Final Summary Report for the Sewer & Water Group 701 project ([CC15 form](#) for project numbers B00452, B00039)?
 - The final summary report is not yet completed. It will be done upon full completion of the project.

Alec Phillipp

Senior Public Information Officer

City of San Diego

Communications Department

T: 619-533-4574

[SanDiego.gov](#)
[InsideSanDiego.org](#)

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From: Natalie Rocha [mailto:natalierocha@inewssource.org]
Sent: Monday, October 28, 2019 5:02 PM
To: Phillipp, Alec <APhillipp@sandiego.gov>
Subject: Following up from inewssource

Hi Alec -

[Quoted text hidden]

Natalie Rocha <natalierocha@inewssource.org>
To: "Phillipp, Alec" <APhillipp@sandiego.gov>

Wed, Oct 30, 2019 at 4:19 PM

Hey Alec,

Thanks so much for getting this info to me. I'll review it and let you know if I have any additional questions.

Best,
Natalie

[Quoted text hidden]

Phillipp, Alec <APhillipp@sandiego.gov>
To: Natalie Rocha <natalierocha@inewssource.org>

Thu, Oct 31, 2019 at 8:45 AM

Hi Natalie,

In re-reading this, I just wanted to reemphasize that the quote, in and of itself, doesn't explain all of the conditions that the contractor needs to meet in order to tow cars. Ideally, you can use the additional answers and conditions explained below the quote to add context and not just exclusively use the quote.

Thanks,

Alec

[Quoted text hidden]

Natalie Rocha <natalierocha@inewssource.org>
To: Laura Wingard <laurawingard@inewssource.org>, Mary Plummer <maryplummer@inewssource.org>

Thu, Oct 31, 2019 at 11:41 AM

Hi all,

I'm in class and haven't had a chance to give this email or your edits a good look, but I wanted to send this on.

Best,
Natalie

Sent from my iPhone

Begin forwarded message:

From: "Phillipp, Alec" <APhillipp@sandiego.gov>
Date: October 31, 2019 at 8:45:34 AM PDT
To: Natalie Rocha <natalierocha@inewssource.org>
Subject: RE: Following up from inewssource

[Quoted text hidden]

Mary Plummer <maryplummer@inewssource.org>
To: Natalie Rocha <natalierocha@inewssource.org>
Cc: Laura Wingard <laurawingard@inewssource.org>

Thu, Oct 31, 2019 at 11:44 AM

Thanks. I'd go ahead and send on the email with your questions & the edits, then we can ask him for a follow-up call later if needed.

[Quoted text hidden]

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Mary Plummer
[inewssource](mailto:maryplummer@inewssource.org)
310-953-5478



P.S. Truth Matters. Help us find it by supporting our reporting: www.inewssource.org/donate

Laura Wingard <laurawingard@inewssource.org>
To: Mary Plummer <maryplummer@inewssource.org>
Cc: Natalie Rocha <natalierocha@inewssource.org>

Thu, Oct 31, 2019 at 12:06 PM

I agree with Mary. You can thank him for the follow-up explanations. Then go into the email you and Mary crafted.

Laura

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Laura Wingard | Managing Editor
Work: 619-594-3360
Cell: 858-344-6419
Twitter: @laura_wingard



Natalie Rocha <natalierocha@inewssource.org>
To: "Phillipp, Alec" <APhillipp@sandiego.gov>

Fri, Nov 1, 2019 at 10:21 AM

Hi Alec,

Thanks for following up with this explanation. I wanted to clarify some of the information you provided and ask a couple of follow-up questions. If you could help me answer these by the end of today that would be greatly appreciated.

- Confirming - is the quote you provided from you?
- Can you clarify this information? Do you mean the contractor did not place signs on the street in advance of the paving or the contractor did place "no parking" signs in advance of the paving:
 - City staff confirmed that the contractor had no parking signs out in advance of the paving.
- Can you confirm what kind of public notices and signs were put on Brant Street and Spruce Street in advance of the paving? Were signs placed along each of these streets and on doors? (both 72 hour notice and 48 hour notice)
- I want to confirm the dates of when the street paving took place on Spruce Street and when the paving took place on Brant Street? Were both streets paved on July 17?
- What date in August did Ortiz Corporation return to Brant Street to complete the paving work, including the patch of road where the Jeep was parked?

Best,
Natalie
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Phillipp, Alec <APhillipp@sandiego.gov> Fri, Nov 1, 2019 at 10:29 AM
To: Natalie Rocha <natalierocha@inewssource.org>

Hi Natalie,

- Yes, please quote me.
- Yes, the contractor indeed had 'no parking' signs out in advance of the paving.
- Will confirm
- Will confirm
- Will confirm

I might not be able to confirm the last three by COB today as a portion of staff have Friday off as their regularly scheduled flex day. I'm happy to reach out and see what I can get back for you today.

Best,

Alec

From: Natalie Rocha [mailto:natalierocha@inewssource.org]
Sent: Friday, November 1, 2019 10:21 AM
To: Phillip, Alec <APhillipp@sandiego.gov>
Subject: Re: Following up from inewssource

Hi Alec,

Thanks for following up with this explanation. I wanted to clarify some of the information you provided and ask a couple of follow-up questions. If you could help me answer these by the end of today that would be greatly appreciated.

- Confirming - is the quote you provided from you?
- Can you clarify this information? Do you mean the contractor did not place signs on the street in advance of the paving or the contractor did place "no parking" signs in advance of the paving:
 - City staff confirmed that the contractor had no parking signs out in advance of the paving.

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Natalie

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Natalie Rocha <natalierocha@inewssource.org> Fri, Nov 1, 2019 at 1:44 PM
To: "Phillipp, Alec" <APhillipp@sandiego.gov>

Thanks Alec, I appreciate your help. If you are unable to confirm this information by the end of today, please send it on no later than noon on Monday (10/4).

Best,
Natalie

[Quoted text hidden]

Phillipp, Alec <APhillipp@sandiego.gov> Fri, Nov 1, 2019 at 3:56 PM
To: Natalie Rocha <natalierocha@inewssource.org>

Natalie,

The rest of the info for you.

- Can you confirm what kind of public notices and signs were put on Brant Street and Spruce Street in advance of the paving? Were signs placed along each of these streets and on doors? (both 72 hour notice and 48 hour notice)
 - The contractor placed 'no parking' signs along the street and placed door hanger notices on doors 48 hours before the paving.
- I want to confirm the dates of when the street paving took place on Spruce Street and when the paving took place on Brant Street? Were both streets paved on July 17?
 - Spruce St and Brant st were both paved over the course of 7/17 and 7/18.
- What date in August did Ortiz Corporation return to Brant Street to complete the paving work, including the patch of road where the Jeep was parked?
 - Friday, August 9.

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Natalie Rocha <natalierocha@inewssource.org> Fri, Nov 1, 2019 at 5:51 PM
To: "Phillipp, Alec" <APhillipp@sandiego.gov>

Thanks for getting back to me with this info Alec. Have a great weekend!

Best,
Natalie
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Natalie Rocha <natalierocha@inewssource.org> Wed, Nov 6, 2019 at 6:05 PM
To: "Phillipp, Alec" <APhillipp@sandiego.gov>

Hi, Alec,

I'm fact checking my story on the Bankers Hill construction work that was covered under the [Sewer & Water Group 701 project](#). Can you confirm for me that I'm interpreting this correctly? Was it a \$4.3 million contract to replace water and sewer lines in Bankers Hill and do street paving after that work was completed? That's how I read it.

Can you also tell me how long Ortiz Corp. has done work for the city? I found a contract online dated [May 14, 2008, for the Water Group 901 & 902CI](#) project, but if they have been doing work with the city for 20 or more years I'd like to be able to say that.

Thank you in advance for your help. If you could get back to me by Friday, Nov. 8, at noon that would be great.

Best,
Natalie

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Phillipp, Alec <APhillipp@sandiego.gov>
To: Natalie Rocha <natallierocha@inewssource.org>

Thu, Nov 7, 2019 at 11:52 AM

Natalie,

Yes your interpretation of the contract is correct. As to Ortiz, I believe the Public Works department only keeps contracts on hand for about 10 years after it's done, so if you've found one from 2008 that might be the oldest one available. It's possible they've been doing work for the City for longer but we wouldn't have a concise way of confirming that.

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